

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

BOBBY RUTH, JR.,

Plaintiff,

V.

**CAPITAL ONE BANK USA, N.A., and
EXPERIAN INFORMATION
SOLUTIONS, INC.**

Defendant.

Civil Action No. 1:22-CV-00996-RP

JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE

TO THE HONORABLE JUDGE:

COME NOW, both Plaintiff Bobby Ruth, Jr. (“Plaintiff”), and Defendants Capital One Bank, USA, N.A. and Experian Information Solutions, Inc. (“Defendants”), pursuant to Rule 41 of the Federal Rules of Civil Procedure, hereby stipulate to a dismissal of this action without prejudice.

1. There are no longer any issues in this matter between Plaintiff and Defendants to be determined by this Court.
2. Plaintiff and Defendants hereby stipulate that all claims and causes of action that were or could have been asserted against Defendants are hereby dismissed without prejudice, with court costs and attorneys' fees to be paid by the party incurring same.
3. Defendants agree to the dismissal.

4. This case is not a class action and a receiver has not been appointed.
5. Pursuant to the terms of Rule 41(a)(1)(A)(ii), this case is dismissed without prejudice upon filing of this joint stipulation.

Date: December 21, 2022

JAFFER & ASSOCIATES, PLLC

Respectfully submitted,

/s/ Phillip Pool

Phillip Pool

Texas Bar No. 24086466

5757 Alpha Rd., Suite 580

Dallas, Texas 75240

Phone: 214-494-1871

Fax: 469- 669-0786

E-mail: attorneys@jaffer.law

ATTORNEYS FOR PLAINTIFF

/s/ David H. Herrold

David H. Herrold

State Bar No. 24107029

Burke Bogdanowicz PLLC.

1201 Elm Street, Suite 4000

Dallas, Texas 75270

214-473-5985

Dherrold@burkebog.com

**ATTORNEY FOR DEFENDANT CAPITAL
ONE BANK, USA, N.A.**

By: /s/ Trevor J. Deason

Trevor J. Deason, TX Bar No. 24096366

tdeason@jonesday.com

Alison E. Ibendahl, TX Bar No. 24120916

aibendahl@jonesday.com

JONES DAY

717 Texas, Suite 3300

Houston, TX 77002

Telephone: 832-239-3939

Facsimile: 832-239-3600

*Attorneys for Defendant
Experian Information Solutions, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties of record in a manner approved by the Federal Rules of Civil Procedure.

/s/ Phillip Pool

Phillip Pool